

RESOLUTION NO. A-_____

1 WHEREAS, the Star City Youth Foundation has requested a waiver of the
2 surfacing requirements for the Optimists Youth Sports Complex parking lot (which
3 includes the service drive) located on property generally located at Pioneers Blvd. and
4 Folsom Street and legally described as:

5 A tract of land located in Lot 45 and Lot 46 in the Northeast
6 Quarter of Section 10, Township 9 North, Range 6 East of
7 the 6th P.M., Lancaster County, Nebraska;

8 WHEREAS, the City Council finds that:

9 a. The parking lot for which the waiver of the surfacing requirement is
10 requested is to be used in conjunction with a nonprofit religious, educational, or
11 philanthropic institution;

12 b. Alternate materials or techniques shall be utilized which provide
13 reasonable control of dust, runoff, and safe circulation; and

14 c. The location of the parking lot is sufficient distance from
15 surrounding uses that it will not adversely affect the surrounding uses, and the
16 frequency of use of the parking lot is so low that compliance with the surfacing
17 requirements at the present time would cause undue economic hardship upon the
18 owner as compared with minimal impact upon the surrounding land uses.

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
20 Lincoln, Nebraska:

21 In consideration of the findings made above, the requirement for the
22 paving of the parking lot for the Optimists Youth Sports Complex located at West
23 Pioneers Blvd. east of South Folsom Street on property legally described above is
24 hereby waived pursuant to § 27.67.100(c) of the Lincoln Municipal Code under the
25 following conditions:

1 1. The driveway approach be surfaced in compliance with Driveway
2 Design Standards.

3 2. The waiver of the surfacing of the service drive is limited to the first
4 phase of development which consists of fields 1 through 4 only.

5 3. If it is later found that dust or noise, created by the use of the
6 parking lot exceeds the maximum levels set forth in Title 8 of the Lincoln Municipal
7 Code, then such waiver may, after notice and hearing by the City Council, be revoked.

8 4. This resolution's terms, conditions, and requirements bind and
9 obligate the permittee, its successors and assigns.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2001:

Mayor